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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/537,449	01/09/2006	Bernd Schwenzer	101215-189	1690	
27387 75	90 10/25/2006	EXAMINER			
NORRIS, MCLAUGHLIN & MARCUS, P.A. 875 THIRD AVE 18TH FLOOR			SHIN, D.	SHIN, DANA H	
			ART UNIT	PAPER NUMBER	
NEW YORK, NY 10022		1635			
			DATE MAILED: 10/25/2006	6	

Please find below and/or attached an Office communication concerning this application or proceeding.



# UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

DATE MAILED:

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P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.
101537,449		SCHWENZER ET	AL.	
, ,				EXAMINER
			DANA H. SHIN	
			ART UNIT	PAPER
			1635	20061013

Please find below and/or attached an Office communication concerning this application or proceeding.

#### **Commissioner for Patents**

This Office communication is necessitated by errors in the CRF filed on September 29, 2006. It is found that the CRF is defective because it does not comply with sequence rules set forth in 37 CFR 1.823. See the attached CRF problem report for more information. In summary, applicants are encouraged to carefully review the RSL (Raw Sequence Listing) Error Summary attached with this Office communication.

For clarifications or questions on CFR submission, please contact Mark Spencer, whose telephone number is 571-272-2510 and fax number is 571-273-0221.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

JANE ZARA, PH.D. PRIMARY EXAMINER

### STIC Biotechnology Systems Branch

# RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number:	10/537.449A
Source:	1FW/6.
Date Processed by STIC:	10/5/06
- · · · · - · · · · · · · · · · · · · ·	

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE <u>CHECKER</u> <u>VERSION 4.4.0 PROGRAM</u>, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

- 1. EFS-Bio (<a href="http://www.uspto.gov/ebc/efs/downloads/documents.htm">httm</a>, EFS Submission User Manual ePAVE)
- 2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
- 3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
  U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street,
  Alexandria, VA 22314

Revised 01/10/06

## Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION SERIAL NUMBER: 10/537, 449A
	PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE
	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
2Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.
3Misaligned Amino Numbering	The numbering under each 5 <sup>th</sup> amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
4Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
5Variable Length	Sequence(s) contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
6PatentIn 2.0 "bug"	A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
7Skipped Sequences (OLD RULES)	Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence:  (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading)  (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown)  This sequence is intentionally skipped  Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
	Sequence(s) missing. If intentional, please insert the following lines for each skipped sequence. <210> sequence id number <400> sequence id number 000
	Use of n's and/or Xaa's have been detected in the Sequence Listing.  Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present.  In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
	Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence. (see item 11 below)
Use of <220>	Sequence(s) missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section or use "chemically synthesized" as explanation. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32), also Sec. 1.823 of Sequence Rules
"bug"	Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
3 Misuse of n/Xaa	"n" can only represent a single nucleotide; "Xaa" can only represent a single amino acid



IFW16

RAW SEQUENCE LISTING DATE: 10/05/2006
PATENT APPLICATION: US/10/537,449A TIME: 11:38:44

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Output Set: N:\CRF4\10052006\J537449A.raw

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      5 <120> TITLE OF INVENTION: Polynucleotides Targeted Against Htert and Use Thereof
      7 <130> FILE REFERENCE: 101215-189-2
      9 <140> CURRENT APPLICATION NUMBER: 10/537,449A
C--> 10 <141> CURRENT FILING DATE: 2006-01-09
     12 <160> NUMBER OF SEQ ID NOS: 18
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                                                                Does Not Comply
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27 <308> DATABASE ACCESSION NO:
                                                add hypher
                                      AF015950
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     32 ggtcatcgcc agcat
                                                                                 Above above publication information 23007 is a
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. . . . . . . . . . . . .

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                                                              DATE: 10/05/2006
                     PATENT APPLICATION: US/10/537,449A
                                                              TIME: 11:38:44
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RAW SEQUENCE LISTING DATE: 10/05/2006 PATENT APPLICATION: US/10/537,449A TIME: 11:38:44

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DATE: 10/05/2006

TIME: 11:38:44

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335 geegetggee aegttegtge ggegeetggg geeecaggge tggeggetgg tgeagegegg 180

RAW SEQUENCE LISTING

PATENT APPLICATION: US/10/537,449A

VERIFICATION SUMMARY DATE: 10/05/2006

PATENT APPLICATION: US/10/537,449A TIME: 11:38:45

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Output Set: N:\CRF4\10052006\J537449A.raw

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 L:28 M:286 W: Invalid Database Entry: Valid Formats YYYY-MM-DD or Mon-YYYY, SEQ ID:1
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··b·:188·M:265 W: Invalid Journal Date Format:Use YYYY-MM-DD,Mon-YYYY,Season-YYYY, 😋 YYYY, SEQ:10 · 🔅
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Application No.: 10/537,449

# NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 37 CFR §1.821(g). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. §§1.821 - 1.825 for the following reason(s):

X	1. This application clearly fails to comply with the requirements of 37 C.F.R. §§1.821-1.825. Applicants attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
	2. This application does not contain, as a separate part of the disclosure on paper copy, a Sequence Listing as required by 37 C.F.R. §1.821(c).
	3. A copy of the Sequence Listing in computer readable form has not been submitted as required by 37 C.F.R. §1.821(e).
X	4. A copy of the Sequence Listing in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. §1.822 and/or 1.823, as indicated on the attached copy of the marked-up Raw Sequence Listing.
X	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. §1.825(d).
	6. The paper copy of the Sequence Listing is not the same as the computer readable from of the Sequence Listing as required by 37 C.F.R. §1.821(e).
	7. Other:
Ap	plicant Must Provide:
X	An initial or <u>substitute</u> computer readable form (CRF) copy of the Sequence Listing. (If the unidentified sequences are not provided on the CRF)
X	An initial or <u>substitute</u> paper copy of the Sequence Listing, as well as an amendment directing its entry into the specification. (If the unidentified sequences are not provided in the paper copy)
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